

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARY MATSON,

Plaintiff,

v.

UNITED PARCEL SERVICE, INC.,

Defendant.

CASE NO. C10-1528 RAJ

ORDER

This matter comes before the court on plaintiff Mary Matson's motion for reconsideration of the court's order granting defendant United Parcel Service, Inc.'s ("UPS") motion for judgment as a matter of law and for a partial new trial. Dkt. # 161.

Motions for reconsideration are disfavored and will be granted only upon a "showing of manifest error in the prior ruling" or "new facts or legal authority which could not have been brought to [the court's] attention earlier with reasonable diligence." Local Rules W.D. Wash. CR ("LCR") 7(h)(1).

Plaintiff has not cited the relevant standard in this District. Nor has plaintiff demonstrated manifest error or new facts or legal authority which could not have been

1 brought to the court's attention earlier with reasonable diligence. Plaintiff has failed to
2 meet the standard. Accordingly, the court DENIES plaintiff's motion for reconsideration.

3 Plaintiff also requests that, in the event the court does not reconsider the ruling, it
4 enter an order under Rule 54(b) finding that there is no just reason for delay in entering a
5 final judgment on the preemption issue. The court construes this request as a Rule 54(b)
6 motion to certify a judgment as "final" in order to obtain an interlocutory appeal. The
7 court ORDERS defendant to respond, no later than March 18, 2013 to the Rule 54(b)
8 request for certification, and also advise the court whether it would agree to a stay
9 pending the appeal to the extent the court granted the motion. Plaintiff may file a reply
10 no later than March 22, 2013. The Clerk is DIRECTED to re-note the motion for March
11 22, 2013.

12 Dated this 6th day of March, 2013.

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15 The Honorable Richard A. Jones
16 United States District Judge
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